

May 03, 2021

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ADALBERTO G.,

v.

ANDREW M. SAUL,
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 4:20-CV-5103-JTR

ORDER GRANTING STIPULATED
MOTION FOR REMAND
PURSUANT TO SENTENCE FOUR
OF 42 U.S.C. § 405(g)

BEFORE THE COURT is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 21. Attorney Thomas A. Bothwell represents Plaintiff; Special Assistant United States Attorney L. Jamala Edwards represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 5. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 21**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

On remand, the administrative law judge (ALJ) shall: (1) reevaluate the evidence of record including the opinions of State Agency doctors, James Irwin, M.D., and Norman Staley, M.D., treating physician Quentin Johnson, M.D., treating provider Jessica Almaguer, A.R.N.P., Mark Johnson, P.T., Kevin Sampson, M.D., consultative examiner Patrick Metoyer, Ph.D., and state records

1 examiner Brent Packer, M.D.; (2) reevaluate the evidence of record concerning
2 Plaintiff's symptom complaints; (3) reevaluate Plaintiff's maximum physical and
3 mental residual functional capacity as required by Social Security Ruling 96-9p;
4 (4) reevaluate the hearing testimony of vocational expert Sharon Welter; and (5) if
5 necessary after review of the opinions above, determine whether Plaintiff could
6 perform past relevant work or other jobs in the national economy at step five.

7 2. **Judgment shall be entered for PLAINTIFF.**

8 3. Plaintiff's Motion for Summary Judgment, **ECF No. 18**, is
9 **STRICKEN AS MOOT.**

10 4. An application for attorney fees and costs may be filed by separate
11 motion.

12 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
13 Order, forward copies to counsel, and **CLOSE THE FILE.**

14 DATED May 3, 2021.

A handwritten signature in black ink, appearing to be "M", is written above a horizontal line.

JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE